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MINUTES OF THE ORDINARY MEETING OF THE BROKEN HILL CITY COUNCIL HELD  
SEPTEMBER 26, 2018

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Meeting commenced at 6:30pm

**PRESENT:**

Councillor D. Turley (Mayor) Councillor M. Browne (Deputy Mayor)  
Councillors C. Adams, B. Algate, M. Clark, T. Kennedy, B. Licul, J. Nolan  
and R. Page.

General Manager, Chief Operations Officer, Chief Financial Officer,  
Director Corporate, Manager Communications and Governance Officer.

Media (3), Members of the Public (10).

**APOLOGIES:**

Councillor D. Gallagher.

**RESOLUTION**

Minute No. 45904

Councillor C. Adams moved  
Councillor M. Clark seconded

) That the apology submitted on behalf of  
) Councillor Gallagher be accepted and leave of  
absence granted.

CARRIED

**PRAYER**

Councillor Adams delivered the prayer.

**ACKNOWLEDGEMENT OF COUNTRY**

Councillor Adams delivered the Acknowledgment of Country.

**PUBLIC FORUM**

Nil.

**MINUTES FOR CONFIRMATION**

**RESOLUTION**

Minute No. 45905

Councillor B. Licul moved  
Councillor M. Clark seconded

) That the Minutes of the Ordinary Meeting of the  
) Council of the City of Broken Hill held August  
29, 2018 be confirmed.

CARRIED

**DISCLOSURE OF INTEREST**

Nil.

**MAYORAL MINUTES**

Nil.

**NOTICES OF MOTION**

Nil.

**RESCISSION MOTIONS**

Nil.

*Councillor Kennedy questioned why his Rescission Motion regarding DA34/2018 – Painting of a Mural on a Heritage Building in a Heritage Precinct (handed to the Acting Mayor during the August Council Meeting) was not listed to be dealt with at this meeting.*

*The Mayor advised that at the August Council Meeting it was taken that the Rescission Motion had been withdrawn, this was documented in the minutes of the August Council Meeting which Council had just confirmed to be true and correct.*

*Councillor Kennedy called a Motion of Dissent against the Mayor's ruling not to consider the Rescission Motion.*

Motion of Dissent

Councillor T. Kennedy moved	)	That Councillor Kennedy's Rescission Motion regarding DA 34/2018 Painting of a Mural on a Heritage Building in a Heritage Precinct (handed to the Acting Mayor at the August Council Meeting) be dealt with at this meeting
Councillor B. Algate seconded	)	

LOST

A Division was called which resulted in:

FOR: Crs Algate, T Kennedy and R Page  
AGAINST: Crs Adams, Browne, Licul, Turley, M Clark and Nolan

*Following deliberations, the Mayor ruled that Councillor Kennedy's Rescission Motion regarding DA34/2018 – Painting of a Mural on a Heritage Building in a Heritage Precinct (handed to the Acting Mayor during the August Council Meeting) would be considered at the October Council Meeting.*

**REPORTS FROM DELEGATES**

Nil.

**REPORTS**

**ITEM 1 - BROKEN HILL CITY COUNCIL REPORT NO. 145/18 - DATED AUGUST 27, 2018 -  
ELECTION OF DEPUTY MAYOR**

11/18

**Resolved:**

1. That Broken Hill City Council Report No. 145/18 dated August 27, 2018, be received.
2. That Council elect the Deputy Mayor at this meeting.
3. That the Deputy Mayor be elected for a 12 month term concluding at the September 2019 Council Meeting.
4. That voting for the Deputy Mayor Election be open voting, i.e. "show of hands".

**RESOLUTION**

**Minute No. 45906**

Councillor C. Adams moved )  
Councillor M. Clark seconded )

CARRIED

*The Mayor appointed the General Manager as Returning Officer for the Election of Deputy Mayor.*

*The Returning Officer advised that three (3) nominations had been received for the position of Deputy Mayor. The nominations are as follows:*

1. *Councillor Gallagher (nominated by Councillor Adams and Councillor Gallagher) – nomination received 19/09/2018 at 4:12pm.*
2. *Councillor Browne (nominated by Councillor Licul and Councillor Clark) – nomination received 26/09/2018 at 6:13pm.*
3. *Councillor Kennedy (nominated by Councillor Algate and Councillor Page) – nomination received 26/09/2018 at 6:20pm.*

*The Returning Officer advised that voting would take place in a "first past the post" system by a show of hands for votes for Deputy Mayor for the twelve month term from September 2018 to September 2019.*

Votes for Councillor Gallagher – 1  
Votes for Councillor Browne – 5  
Votes for Councillor Kennedy – 3

Councillor Gallagher is now excluded from the vote.

*At this point in the election of Deputy Mayor, Councillor Kennedy queried the nomination process as to whether there is a deadline for nominations to be submitted.*

**Motion:**

Councillor T. Kennedy moved )  
Councillor B. Algate seconded )

That the meeting be adjourned pending confirmation of the Deputy Mayor nomination process.

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*Deputy Mayor Browne clarified that the Local Government Regulations state that nominations can be submitted without notice but that the nomination form must be signed by two Councillors, one of which can be the nominee. Therefore, nominations can be submitted during the meeting just prior to the election of Deputy Mayor as long as the nomination form is completed.*

The election resumed.

Votes for Councillor Browne – 6  
Votes for Councillor Kennedy – 3

*Given the number of votes received for Councillor Browne, the Returning Officer declared Councillor Browne as Deputy Mayor elect for the twelve month period from September 2018 to September 2019.*

*The Mayor congratulated Councillor Browne on her re-election as Deputy Mayor.*

**ITEM 2 - BROKEN HILL CITY COUNCIL REPORT NO. 146/18 - DATED SEPTEMBER 13, 2018 -  
DISCLOSURE OF INTEREST RETURNS** 11/265, 11/646

Resolved:

1. That Broken Hill City Council Report No. 146/18 dated September 13, 2018, be received.
2. That Council note the submission of the required returns by Councillors and Designated Persons of Council.
3. That access to Council's Register of Returns of Disclosures by Councillors and Designated Persons be in accordance with the provisions of the *Local Government Act 1993* and other relevant legislation.

**RESOLUTION**

Minute No. 45907

Councillor C. Adams moved )  
Councillor B. Licul seconded )

CARRIED

**ITEM 3 - BROKEN HILL CITY COUNCIL REPORT NO. 147/18 - DATED SEPTEMBER 04, 2018 -  
APPOINTMENT OF DELEGATES TO COMMITTEES - SEPTEMBER 2018 TO SEPTEMBER 2019**

11/9

Resolved:

1. That Broken Hill City Council Report No. 147/18 dated September 4, 2018, be received.
2. That Council's Delegates to its Section 355 Committees and various other Committees be as follows:

COUNCIL S355 COMMITTEES	
Committee Name	Delegates
<b>Community Strategic Plan Round Table</b> Mayor 4 x Key Direction Portfolio Councillors and Alternates	
<u>Our Leadership</u> 1x Councillor 1x Alternate	<u>Our Leadership</u> Councillor Adams (Chairperson) Councillor Gallagher (Alternate)

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<u>Our Community</u> 1x Councillor 1x Alternate	<u>Our Community</u> Councillor Kennedy (Chairperson) Councillor Page (Alternate)
<u>Our Economy</u> 1x Councillor 1x Alternate	<u>Our Economy</u> Councillor Licul (Chairperson) Councillor Nolan (Alternate)
<u>Our Environment</u> 1x Councillor 1x Alternate	<u>Our Environment</u> Deputy Mayor Browne (Chairperson) Councillor Clark (Alternate)
<b>Alma Oval Community Committee</b> At least 1x Councillor	Councillor Algate Councillor Gallagher
<b>Broken Hill Heritage Committee</b> 5 x Councillors	Mayor Turley Deputy Mayor Browne Councillor Adams Councillor Clark Councillor Page
<b>Broken Hill Regional Art Gallery Advisory Committee</b> 3x Councillors	Councillor Page Councillor Licul Councillor Clark
<b>BIU Band Hall Community Committee</b> At least 1x Councillor	Councillor Licul
<b>ET Lamb Memorial Oval Community Committee</b> At least 1x Councillor	Councillor Gallagher
<b>Friends of the Flora and Fauna of the Barrier Ranges Community Committee</b> At least 1x Councillor	Deputy Mayor Browne
<b>Memorial Oval Community Committee</b> At least 1x Councillor	Councillor Gallagher
<b>Norm Fox Sportsground Community Committee</b> At least 1x Councillor	Councillor Algate Councillor Gallagher
<b>Picton Sportsground Community Committee</b> At least 1x Councillor	Councillor Adams Councillor Licul
<b>Riddiford Arboretum Community Committee</b> At least 1x Councillor	Deputy Mayor Browne
<b>OTHER COMMITTEES</b>	
<b>Committee Name</b>	<b>Delegates Required</b>
<b>Association of Mining Related Councils</b> 1 x Councillor	Councillor Nolan Councillor Page (Alternate)
<b>Australia Day Advisory Group</b> 4 x Councillors	Deputy Mayor Browne Councillor Gallagher Councillor Adams Councillor Kennedy
<b>Australian Floodplains Association</b> Mayor + alternate	Mayor Turley Deputy Mayor Browne (alternate)

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<b>Australian Mining Cities and Centres Alliance</b> Mayor + Deputy Mayor(alternate)	Mayor Turley Deputy Mayor Browne
<b>Audit, Risk &amp; Improvement Committee</b> 3 x Councillors	Mayor Turley Councillor Nolan Councillor Gallagher
<b>Asset Naming Committee</b> 5 x Councillors	Deputy Mayor Browne Councillor Licul Councillor Algate Councillor Adams Councillor Clark
<b>Broken Hill Lead Reference Group</b> 1 x Councillor	Deputy Mayor Browne
<b>Broken Hill Liquor Accord</b> 1 x Councillor	Councillor Gallagher
<b>Broken Hill Traffic Committee</b> 1 x Councillor (observer only)	Deputy Mayor Browne
<b>Broken Hill ClubGRANTS Committee</b> 2 x Councillors	Councillor Nolan Councillor Kennedy
<b>City Improvement Working Group</b> Mayor + 2-3 Councillors	Mayor Turley Deputy Mayor Browne Councillor Licul Councillor Adams
<b>Community Assistance Grants Panel</b> Mayor, 1 x Councillor and Our Community Portfolio Councillor	Councillor Gallagher Councillor Clark Councillor Kennedy (Our Community Portfolio)
<b>Disability Inclusion Action Plan Working Group</b> 2 x Councillors	Mayor Turley Councillor Adams
<b>Essential Water Customer Council</b> 1 x Councillor	Deputy Mayor Browne
<b>General Manager's Performance Review Committee</b> Mayor, Deputy Mayor and 3 x Councillors	Mayor Turley Deputy Mayor Browne Councillor Gallagher Councillor Adams Councillor Kennedy
<b>Library and Cultural Precinct Project Steering Group</b> Mayor and Deputy Mayor	Mayor Turley Deputy Mayor Browne
<b>Murray Darling Association</b> 2 x Councillors	Deputy Mayor Browne Councillor Page
<b>Reconciliation Action Plan (RAP)</b> 3 x Councillors	Mayor Turley Deputy Mayor Browne Councillor Adams
<b>Silverton Wind Farm Community Consultative Committee</b> 1x Councillor	Deputy Mayor Browne Councillor Nolan (Alternate)
<b>Sister City Working Group</b> 3x Councillors	Councillor Adams Councillor Gallagher Councillor Nolan

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<b>Tidy Towns Working Group</b> 2x Councillors	Councillor Adams Deputy Mayor Browne
<b>Western Division Councils</b> 2x Councillors	Mayor Turley Councillor Gallagher
<b>Western NSW Mining and Resource Development Taskforce</b> Mayor	Mayor Turley
<b>Volunteer Working Group</b> 4x Councillors	Deputy Mayor Browne Councillor Page Councillor Adams Councillor Licul

3. That the Constitution of the Audit, Risk and Improvement Committee be amended to increase the number of Councillor Delegates (from two to three) to include Mayor Turley.
4. That the Constitution of the Broken Hill Heritage Committee be amended to increase the number of Councillor Delegates (from four to five) to include Councillor Page.
5. That the following Committees/Working Groups be removed from the Schedule as they are no longer active or have served their purpose:
  - Broken Hill Living Museum and Perfect Light Project Steering Group
  - Broken Hill Solar Plant Community Consultative Committee
  - Integrated Waste Management Working Group
  - Local Government Fit for the Future – Far West Initiative Advisory Group
6. That membership of the North Mine Consultative Committee be clarified, and a report presented to Council to appoint Delegates if required.
7. That Councillor membership on Section 355 Committees and various other Committees be for a twelve month period commencing immediately and ceasing at the September 2019 Council Meeting.

**RESOLUTION**

Minute No. 45908

Councillor R. Page moved )

Councillor M. Browne seconded )

CARRIED

**ITEM 4 - BROKEN HILL CITY COUNCIL REPORT NO. 148/18 - DATED AUGUST 21, 2018 -  
DECEMBER AND JANUARY COUNCIL MEETING ARRANGEMENTS**

11/21

**Resolved:**

1. That Broken Hill City Council Report No. 148/18 dated August 21, 2018, be received.
2. That Council's Ordinary Monthly Meeting for December 2018 be held Wednesday, December 12, 2018.
3. That an Ordinary Council Meeting not be held in January 2019; and that should an urgent matter arise in January, an Extraordinary Council Meeting will be arranged.
4. That the Council shutdown period be from 5:00pm Friday December 21, 2018 with Council reopening at 8:30am Monday January 7, 2019.

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**RESOLUTION**

Minute No. 45909

Councillor J. Nolan moved )

Councillor M. Browne seconded )

CARRIED

**ITEM 5 - BROKEN HILL CITY COUNCIL REPORT NO. 149/18 - DATED SEPTEMBER 18, 2018 -  
CHANGE TO PUBLIC FORUM**

11/249, 11/632, 12/14

Resolution:

1. That Broken Hill City Council Report No. 149/18 dated September 18, 2018, be received.
2. That Councillors Clark, Browne and Kennedy be Council's Delegates on a working group to establish governance arrangements for the second public forum session to be held at the end of the monthly Ordinary Meetings of Council.
3. The governance arrangements be endorsed by Council at the next available meeting and then placed into the draft Model Code of Meeting Practice to go out on public exhibition for 28 days.

**RESOLUTION**

Minute No. 45910

Councillor M. Clark moved )

Councillor M. Browne seconded )

CARRIED

**ITEM 6 - BROKEN HILL CITY COUNCIL REPORT NO. 150/18 - DATED SEPTEMBER 14, 2018 -  
CORRESPONDENCE REPORT - LOCAL GOVERNMENT NSW REQUEST FOR FINANCIAL  
ASSISTANCE TOWARDS LEGAL FEES - CITY OF SYDNEY COUNCIL, NORTH SYDNEY  
COUNCIL AND BAYSIDE CITY COUNCIL**

11/304

Motion

Councillor M. Browne moved )

Councillor M. Clark seconded )

1. That Broken Hill City Council Report No. 150/18 dated September 14, 2018, be received.
2. That correspondence received from Local Government New South Wales dated 7 September 2018 requesting financial assistance to City of Sydney Council, North Sydney Council and Bayside City Council towards legal costs associated with an appeal of the Land and Environment Court land rating categorisation decision, be received.
3. That Council supports the request for legal assistance to the City of Sydney Council, North Sydney Council and Bayside City Council in the amount of \$2,357.53 towards legal costs incurred in the matter

Amendment

Councillor T. Kennedy moved )

Councillor B. Algate seconded )

1. That Broken Hill City Council Report No. 150/18 dated September 14, 2018, be received.



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2. That correspondence received from Local Government New South Wales dated 7 September 2018 requesting financial assistance to City of Sydney Council, North Sydney Council and Bayside City Council towards legal costs associated with an appeal of the Land and Environment Court land rating categorisation decision, be received.
3. That Council supports the request for legal assistance to the City of Sydney Council, North Sydney Council and Bayside City Council in the amount of \$2,357.53 towards legal costs incurred in the matter.
4. That Council writes to Local Government NSW requesting that they contribute to Broken Hill City Council's legal fees associated with the Civic Centre redevelopment project.

LOST

The original motion was put.

**RESOLUTION**

Minute No. 45911

Councillor M. Browne moved )  
Councillor M. Clark seconded )

1. That Broken Hill City Council Report No. 150/18 dated September 14, 2018, be received.
2. That correspondence received from Local Government New South Wales dated 7 September 2018 requesting financial assistance to City of Sydney Council, North Sydney Council and Bayside City Council towards legal costs associated with an appeal of the Land and Environment Court land rating categorisation decision, be received.
3. That Council supports the request for legal assistance to the City of Sydney Council, North Sydney Council and Bayside City Council in the amount of \$2,357.53 towards legal costs incurred in the matter.

CARRIED

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**ITEM 7 - BROKEN HILL CITY COUNCIL REPORT NO. 151/18 - DATED SEPTEMBER 19, 2018 -  
CORRESPONDENCE REPORT - COUNCIL'S SUCCESSFUL MOTION TO THE MURRAY  
DARLING ASSOCIATION CONFERENCE** 11/426

Resolved:

1. That Broken Hill City Council Report No. 151/18 dated September 19, 2018, be received.
2. That copy of correspondence from the Murray Darling Association addressed to the Minister for Agriculture and Water Resources, the Hon David Littleproud MP advising of their support for Broken Hill City Council's motion regarding the enforcement of compliance along the Barwon/Darling River, be received.
3. That Council notes the success of its motion to the Murray Darling Association Conference and the subsequent initial action taken by the Association to meet with the Minister for Agriculture and Water Resources, the Hon David Littleproud MP.

**RESOLUTION**

Minute No. 45912

Councillor J. Nolan moved )

Councillor M. Browne seconded )

CARRIED

**ITEM 8 - BROKEN HILL CITY COUNCIL REPORT NO. 152/18 - DATED AUGUST 16, 2018 -  
BUDGET CARRYOVER'S 2018/19** 14/175

Resolved:

1. That Broken Hill City Council Report No. 152/18 dated August 16, 2018, be received.
2. That Council revoke the budget items as listed below in *Table 1* for the amount of \$401,000
3. That Council note the carryover budget items as listed below in *Table 2* for the amount of \$2,717,092

**RESOLUTION**

Minute No. 45913

Councillor C. Adams moved )

Councillor M. Browne seconded )

CARRIED

*The General Manager took a question on notice from Councillor Nolan regarding the purchase of a bitumen sprayer which was voted in last year's budget but has not been purchased and is not included in the Budget carryovers report.*

**ITEM 9 - BROKEN HILL CITY COUNCIL REPORT NO. 166/18 - DATED SEPTEMBER 18, 2018 -  
ADVOCACY STRATEGY** 18/47, 11/161

Resolved:

1. That Broken Hill City Council Report No. 166/18 dated September 18, 2018, be received.
2. That Council adopt the Advocacy Strategy and that it become the centrepiece of Broken Hill City Council's advocacy initiatives for the 2019 State and Federal Elections.

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**RESOLUTION**

Minute No. 45914

Councillor M. Browne moved )  
Councillor C. Adams seconded )

CARRIED

**ITEM 10 - BROKEN HILL CITY COUNCIL REPORT NO. 153/18 - DATED JULY 24, 2018 -  
ADOPTION OF THE DRAFT AGENCY INFORMATION GUIDE**

11/118

Resolved:

1. That Broken Hill City Council Report No. 153/18 dated July 24, 2018, be received.
2. That Council adopt the Draft Agency Information Guide.
3. That the previous Agency Information Guide be removed from Council's website and replaced with the revised Agency Information Guide.

**RESOLUTION**

Minute No. 45915

Councillor C. Adams moved )  
Councillor M. Browne seconded )

CARRIED

**ITEM 11 - BROKEN HILL CITY COUNCIL REPORT NO. 155/18 - DATED SEPTEMBER 13, 2018 -  
COMMUNITY SATISFACTION SURVEY - FURTHER INFORMATION**

Q18/4

Motion:

Councillor M. Browne moved )  
Councillor M. Clark seconded )

1. That Broken Hill City Council Report No. 155/18 dated September 13, 2018, be received.

Amendment

Councillor T. Kennedy moved )  
Councillor B. Algate seconded )

1. That Broken Hill City Council Report No. 155/18 dated September 13, 2018, be received and noted.
2. That Council notes that inclusion of the internet responses from the 18-34 year old age group would have affected the overall survey results.

LOST

The original motion was put.

**RESOLUTION**

Minute No. 45916

Councillor M. Browne moved )  
Councillor M. Clark seconded )

1. That Broken Hill City Council Report No. 155/18 dated September 13, 2018, be received.

CARRIED

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**ITEM 12 - BROKEN HILL CITY COUNCIL REPORT NO. 156/18 - DATED SEPTEMBER 10, 2018 -  
INVESTMENT REPORT FOR AUGUST 2018** 17/82

Resolved:

1. That Broken Hill City Council Report No. 156/18 dated September 10, 2018, be received.

**RESOLUTION**

Minute No. 45917

Councillor B. Algate moved )  
Councillor M. Browne seconded ) CARRIED

**ITEM 13 - BROKEN HILL CITY COUNCIL REPORT NO. 157/18 - DATED SEPTEMBER 12, 2018 -  
MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING NO 385 HELD TUESDAY  
SEPTEMBER 4, 2018.** 11/397

Resolved:

1. That Broken Hill City Council Report No. 157/18 dated September 12, 2018, be received.
2. That the minutes for the Local Traffic Committee Meeting No.385, held September 4, 2018 be received.
3. Item Number 376.7.3 - That 16, two hour timed parks and appropriate signage be installed on the Far West Local Health District side of Thomas Street. The parks will be divided into eight timed parks on either side of the existing ramp and accessible parking.

**RESOLUTION**

Minute No. 45918

Councillor M. Browne moved )  
Councillor C. Adams seconded ) CARRIED

**ITEM 14 - BROKEN HILL CITY COUNCIL REPORT NO. 158/18 - DATED SEPTEMBER 13, 2018 -  
ACTION LIST REPORT** 11/21

Recommendation

1. That Broken Hill City Council Report No. 158/18 dated September 13, 2018, be received.

**RESOLUTION**

Minute No. 45919

Councillor J. Nolan moved )  
Councillor M. Browne seconded ) CARRIED

**COMMITTEE REPORTS**

**ITEM 15 - BROKEN HILL CITY COUNCIL REPORT NO. 159/18 - DATED AUGUST 13, 2018 -  
SECTION 355 COMMITTEE ANNUAL REPORTS 2017-2018** 16/94

Resolved:

1. That Broken Hill City Council Report No. 159/18 dated August 13, 2018, be received.
2. That the Annual Reports 2017/18 received from Section 355 Committees be received and noted.

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3. That the Financial Reports 2017/18 received from Section 355 Committees be received and noted.
4. That a further report be provided to Council to present the outstanding Annual and Financial Reports from Section 355 Committees.

**RESOLUTION**

Minute No. 45920

Councillor M. Browne moved )

Councillor C. Adams seconded )

CARRIED

**ITEM 16 - BROKEN HILL CITY COUNCIL REPORT NO. 160/18 - DATED SEPTEMBER 04, 2018 - MINUTES OF THE BROKEN HILL REGIONAL ART GALLERY ADVISORY COMMITTEE MEETING HELD 15 AUGUST 2018** 12/46

Resolved:

1. That Broken Hill City Council Report No. 160/18 dated September 4, 2018, be received.
2. That the minutes of the Broken Hill Regional Art Gallery Advisory Committee Meeting held 15 August 2018 be received.
3. That as per Minute No. 45847 (Council Meeting 27 June 2018 – reduction of Committee membership of the Broken Hill Regional Art Gallery Committee by natural attrition), Councillor membership on the Broken Hill Regional Art Gallery Advisory Committee be reduced from three to two Councillors and that the Constitution be amended accordingly.
4. That Council now implement the clauses of the Constitution with regard to missed meetings without apology by a member of the Committee.

**RESOLUTION**

Minute No. 45921

Councillor M. Clark moved )

Councillor B. Licul seconded )

CARRIED

**ITEM 17 - BROKEN HILL CITY COUNCIL REPORT NO. 161/18 - DATED SEPTEMBER 11, 2018 - MINUTES OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE MEETING HELD 21 AUGUST 2018** 12/51

Resolved:

1. That Broken Hill City Council Report No. 161/18 dated September 11, 2018, be received.
2. That the minutes of the Friends of the Flora and Fauna of the Barrier Ranges Community Committee Meeting held August 21, 2018 be received.

**RESOLUTION**

Minute No. 45922

Councillor M. Browne moved )

Councillor M. Clark seconded )

CARRIED

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**ITEM 18 - BROKEN HILL CITY COUNCIL REPORT NO. 162/18 - DATED SEPTEMBER 04, 2018 -  
NOMINATIONS FOR COMMUNITY MEMBERSHIP OF COUNCIL S355 COMMITTEES** 11/9

**Resolved:**

1. That Broken Hill City Council Report No. 162/18 dated September 4, 2018, be received.
2. That Lisa McAllister be appointed as a community representative on the BIU Band Hall Community Committee.
3. That Kenneth Dennis be appointed as a community representative on the ET Lamb Memorial Oval Committee.

**RESOLUTION**

**Minute No. 45923**

Councillor B. Licul moved )  
Councillor M. Clark seconded ) CARRIED

**ITEM 19 - BROKEN HILL CITY COUNCIL REPORT NO. 163/18 - DATED SEPTEMBER 19, 2018 -  
MINUTES OF THE BROKEN HILL HERITAGE COMMITTEE MEETINGS HELD SEPTEMBER 6,  
2018** 15/87

**Resolved:**

1. That Broken Hill City Council Report No. 163/18 dated September 19, 2018, be received.
2. That the minutes of the Broken Hill Heritage Committee Meeting held September 6, 2018 be received and noted.

**RESOLUTION**

**Minute No. 45924**

Councillor C. Adams moved )  
Councillor M. Browne seconded ) CARRIED

**SUPPLEMENTARY REPORTS**

**ITEM 20 - BROKEN HILL CITY COUNCIL REPORT NO. 167/18 - DATED SEPTEMBER 24, 2018 -  
CORRESPONDENCE REPORT - DROUGHT RELIEF DONATION FROM CANTERBURY  
BANSTOWN COUNCIL** 12/29

**Resolved:**

1. That Broken Hill City Council Report No. 167/18 dated September 24, 2018, be received.
2. That correspondence from Canterbury Bankstown Council dated 5 September, 2018 advising of their Council resolution to provide a drought relief donation of \$10,000.00 to be shared between Broken Hill and Cobar, be received.
3. That Council sends a letter of appreciation to Canterbury Bankstown Council for their generous donation.
4. That Council staff continue to liaise with local community welfare organisations, in conjunction with Canterbury Bankstown Council, to determine how the funds will be best utilised to benefit the community.

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**RESOLUTION**

Minute No. 45925

Councillor J. Nolan moved )

Councillor C. Adams seconded )

CARRIED

**QUESTIONS TAKEN ON NOTICE FROM PREVIOUS COUNCIL MEETING**

Nil.

**QUESTIONS FOR NEXT MEETING ARISING FROM ITEMS ON THIS AGENDA**

Budget Carryovers – purchase of bitumen sprayer

*The General Manager took a question on notice from Councillor Nolan regarding the purchase of a bitumen sprayer which was voted in last year's budget but has not been purchased and is not included in the Budget carryovers report.*

**RESOLUTION**

Minute No. 45926

Councillor T. Kennedy moved )

Councillor R. Page seconded )

That the meeting be closed to the public in accordance with Section 10A of the Local Government Act 1993 whilst Council considers the confidential matters.

CARRIED

*Members of the public and media left the Council Chambers at 7:25pm.*

**CONFIDENTIAL MATTERS**

**ITEM 21 - BROKEN HILL CITY COUNCIL REPORT NO. 164/18 - DATED SEPTEMBER 18, 2018 - REQUEST FOR TENDER T18/4 BROKEN HILL LIBRARY, COMMUNITY HUB AND CULTURAL PROJECT - CONFIDENTIAL** T18/4

**(General Manager's Note:** This report considers a tender and is deemed confidential under Section 10A(2) (c) of the Local Government Act, 1993 which provides for information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).

Motion

Councillor M. Browne moved )

Councillor C. Adams seconded )

1. That Broken Hill City Council Report No. 164/18 dated September 18, 2018, be received.
2. That Neeson Murcutt Architects Pty Ltd be endorsed as the successful tenderers for tender T18/4 being the Broken Hill Library, Community Hub and Cultural Project for a contract sum of \$1,483,614 (inc GST).

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3. That Council endorse a budget sum of \$1,483,614 (inc GST) for the successful tenderer which is made up of \$450,000 already allocated in previous budget processes and an additional \$1,033,614 to be funded through the Council's 2018/19 capital budget.
4. That a budget adjustment be made as part of the first quarterly review of the 2018/19 financial year, noting there will be zero net impact to Council's allocated capital budget.

Amendment

Councillor B. Licul moved )  
Councillor M. Clark seconded )

1. That Broken Hill City Council Report No. 164/18 dated September 18, 2018, be received.
2. That the matter be deferred until public consultation is held advising potential costs for a new Library and cultural hub.

WITHDRAWN

Amendment

Councillor T. Kennedy moved )  
Councillor B. Algate seconded )

1. That Broken Hill City Council Report No. 164/18 dated September 18, 2018, be received.
2. That the matter be deferred and the community be advised that the Library and cultural hub project may cost in the vicinity of \$15M with the design costs being up to 10% (\$1.5M) and seeking comment as to whether the community wish to continue with the new Library and cultural hub project or whether they wish Council to redevelop the existing Library.

LOST

The original motion was put

**RESOLUTION**

Minute No. 45927

Councillor M. Browne moved )  
Councillor C. Adams seconded )

1. That Broken Hill City Council Report No. 164/18 dated September 18, 2018, be received.
2. That Neeson Murcutt Architects Pty Ltd be endorsed as the successful tenderers for tender T18/4 being the Broken Hill Library, Community Hub and Cultural Project for a contract sum of \$1,483,614 (inc GST).
3. That Council endorse a budget sum of \$1,483,614 (inc GST) for the successful tenderer which is made up of \$450,000



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already allocated in previous budget processes and an additional \$1,033,614 to be funded through the Council's 2018/19 capital budget.

4. That a budget adjustment be made as part of the first quarterly review of the 2018/19 financial year, noting there will be zero net impact to Council's allocated capital budget.

CARRIED

A Division was called which resulted in:

FOR: Crs Adams, Browne, Licul, Turley, M Clark and Nolan

AGAINST: Crs Algate, T Kennedy and R Page

**ITEM 22 - BROKEN HILL CITY COUNCIL REPORT NO. 165/18 - DATED SEPTEMBER 18, 2018 - CIVIC CENTRE REFURBISHMENT PROJECT - UPDATE - CONFIDENTIAL** 16/92

**(General Manager's Note:** This report considers Civic Centre Refurbishment Project and is deemed confidential under Section 10A(2) (d) (e) (g) of the Local Government Act, 1993 which provides for commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret; AND which provides for information that would, if disclosed, prejudice the maintenance of law; AND which contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege).

**Motion:**

Councillor M. Browne moved )  
Councillor C. Adams seconded )

1. That Broken Hill City Council Report No. 165/18 dated September 18, 2018, be received.
2. That Council note the below report and financial position of the Civic Centre Refurbishment project as at September 2018.
3. That in keeping with previous practice, further updates on the litigation of the Civic Centre Project be provided to Councillors in confidential briefing sessions by Council's solicitors.

**Amendment:**

Councillor T. Kennedy moved )  
Councillor B. Algate seconded )

1. That Broken Hill City Council Report No. 165/18 dated September 18, 2018, be received.
2. That a further report be provided advising why the legal fees quoted in Councillor Briefing Sessions differ to the legal fees

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quoted in Council reports associated with the  
Civic Centre redevelopment.

LOST

The original motion was put.

**RESOLUTION**

Minute No. 45928

Councillor M. Browne moved )  
Councillor C. Adams seconded )

1. That Broken Hill City Council Report No. 165/18 dated September 18, 2018, be received.
2. That Council note the below report and financial position of the Civic Centre Refurbishment project as at September 2018.
3. That in keeping with previous practice, further updates on the litigation of the Civic Centre Project be provided to Councillors in confidential briefing sessions by Council's solicitors.


CARRIED

A Division was called which resulted in:

FOR: Crs Adams, Browne, Licul, Turley, M Clark and Nolan  
AGAINST: Crs Algate, T Kennedy and R Page

There being no further business the Mayor closed the meeting at 8:18 p.m.

THE FOREGOING MINUTES WERE READ  
AND CONFIRMED AT THE ORDINARY  
MEETING OF THE BROKEN HILL CITY  
COUNCIL HELD ON O

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